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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/803,434
Filing Date: March 18, 2004
Appellant(s): RODENBECK ET AL.

Ryan C. Barker

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 5/18/2006 appealing from the Office action
mailed 8/09/2006.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is incorrect. A correct statement of the status of the claims is as follows:

Claims 18-26 are allowed.

Claims 1-16 and 27-29 are rejected.

(4) Status of Amendments After Final

The amendment after final rejection filed on 5/18/2006 has been entered.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is substantially correct. The changes are as follows:

The failure to include the reference of Pinzon (US Patent 6161005) in the rejection of claims 7 and 13-16 was an oversight. The reference of Pinzon was used in the rejection of claim 1, and base on the fact that claims 7 and 13-16 are dependent on claim 1, the reference of Pinzon must be included in the rejection of claims 7 and 13-16.

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(8) Evidence Relied Upon

5321963	Goldman	6-1994
6161005	Pinzon	12-2000
6072402	Kniffin et al.	6-2000
5298883	Pilney et al.	3-1994
6359547	Denison et al.	3-2002
6177861	MacLellan et al.	6177861

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kniffin et al. US Patent 6072402 in view of Pinzon US Patent 6161005.

Regarding claim 1, Kniffin et al. teaches a wireless security control system (figure 1) for use in a facility having a plurality of doors (col. 5 lines 40-44), the wireless security control system comprising a central access control system (18) in which access information is stored (col. 2 lines 44-45), and a plurality of remote access control systems each being adapted to be mounted to a respective one of the doors of the facility to control the locking and unlocking of the respective door (col. 2 lines 25-31), the central access control system wirelessly transmitting access information to the plurality of remote access control systems prior to any users associated with the access information making any attempts to unlock any of the doors (col. 5 lines 42-47), each of the remote access control systems being configured to receive wirelessly and store at least some of the access information from the central access control system (col. 5 lines 53-55), each of the remote access control systems being configured to control the locking and unlocking of the respective door using the access information stored therein, each of the plurality of remote access control systems making a decision whether to unlock the respective door in response to a user making an attempt to unlock the door based on the access information stored therein and without having to further communicate with the central access control system (col. 5 lines 53-57). Kniffin et al. is however silent on teaching access information is transmitted to the access control system independent of any user making a request to unlock the door. Pinzon in an art related door unlocking system teaches pre-programming the access code into a locking unit (col. 6 lines 32-41) in order to change and update the access codes.

It would have been obvious to one of ordinary skill in the art for access information is transmitted to the access control system independent of independent of any user making a request to unlock the door in Kniffin et al. as evidenced by Pinzon because Kniffin et al. suggest programming the locking mechanism with the access code when access is requested and Pinzon teaches pre-programming the access code into a locking unit in order to change and update the access codes.

Regarding claim 2, Kniffin et al. teaches the remote access control systems includes an antenna, an access controller, and a receiver that is electrically coupled to the antenna and that communicates the wireless information received by the antenna to the access controller (figure 1).

Regarding claim 4, Kniffin et al. teaches the remote access control systems is further adapted to transmit wireless information to the central access control system (col. 4 lines 54-56) .

Regarding claim 10, Kniffin teaches a remote access control system (figure 1) adapted to be mounted to a door to control the locking and unlocking of the door and adapted to receive wireless information from a central access control system located remotely from the access control system (col. 2 lines 31-40), the remote access control system comprising:
a reader (proximity detector) adapted to read user data presented to reader (col. 3 lines 56-58);
a remote wireless communicator adapted to receive wireless information from the central access control system, the wireless information being transmitted to the remote wireless communicator where it is stored prior to a user making an attempt to unlock the door (col. 2 lines 44-53);

a remote access controller electrically coupled to the remote wireless communicator and configured to receive the information from the remote wireless communicator, the remote access controller being configured to control the locking and unlocking of the door using the stored wireless information, the remote access controller making a decision from the previously stored wireless information and without requiring additional information from the central access control system about whether to unlock the door in response to the user making the attempt to unlock the door (col. 4 line 52-col. 5 line 2). Kniffin et al. further teaches providing user-updated information to the remote access controller (col. 5 lines 52-55).

Regarding claim 11, Kniffin et al. teaches the remote access control systems further comprises a battery coupled to the respective reader, the respective remote access controller, and the respective remote wireless communicator (col. 4 lines 53-55, figure 1).

Regarding claim 12, Kniffin et al. teaches the user data is stored on tokens (col. 3 lines 50-58), each of the remote access control systems is adapted to store user history information regarding which tokens were granted access (col. 4 lines 52-53), and each of the remote access control systems is configured to transmit the user history information to the central access control system (col. 4 lines 54-56).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kniffin et al. U.S. Patent 6072402 in view of Pinzon US Patent 6161005 and further in view of Goldman U.S. Patent 5321963.

Regarding claim 3, Kniffin et al. teaches mounting a portion of the remote access control system on both side of the door (col. 5 lines 48-50) but is silent on teaching the remote access

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control system includes a housing having an inner portion mounted on the inside of the door and an outer portion mounted on the outside of the door. One skilled in the art recognizes that it is conventional practice to have an access control system in which an inner portion of the system is mounted on the inside and an outer portion mounted on the outside in order to allow the access control mechanism to be operated from both side of the door as further evidenced by Goldman (col. 1 lines 59-63). One skilled in the art further recognizes that an antenna is sometimes mounted on the outer portion of a housing as evidenced by communication units such as mobile and cellular phones and other communication devices.

It would have been obvious to one of ordinary skill in the art for the remote access control system to include a housing having an inner portion mounted on the inside of the door and an outer portion mounted on the outside of the door in Kniffin et al. in view of Pinzon as evidenced by Goldman because Kniffin et al. in view of Pinzon suggests a remote access control system controlling a door and one skilled in the art recognizes that it is conventional practice to have an access control system in which an inner portion of the system is mounted on the inside and an outer portion mounted on the outside in order to allow the access control mechanism to be operated from both side of the door as further evidenced by Goldman. One skilled in the art further recognizes that an antenna is sometimes mounted on the outer portion of a housing as evidenced by communication units such as mobile and cellular phones.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kniffin et al. U.S. Patent 6072402 in view of Pinzon US Patent 6161005 and further in view of Pilney et al. U.S. Patent 5298883.

Regarding claim 5, Kniffin et al. teaches a remote access control system having a transmitter (42) and receiver (14) but is however silent on teaching the remote wireless communicator includes a switch for selectively choosing between receiving and transmitting the wireless information. Pilney et al. in an art related invention in the same field of endeavor of wireless system teaches a wireless communicator with a switch for selectively choosing between receiving and transmitting the wireless information (col. 2 lines 20-25).

It would have been obvious to one of ordinary skill in the art to modify the access control system of Kniffin as disclosed by Pilney et al. at the time the invention was made because using a switch to select between receiving and transmitting provides a cheaper alternative to having of having a single antenna instead of two antennas for transmitting and receiving respectively.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kniffin et al. U.S. Patent 6072402 in view of Pinzon US Patent 6161005 and further in view of Denison et al. U.S. Patent 6359547.

Regarding claim 6, Kniffin et al. in view of Pinzon teaches providing updated information wirelessly to the remote access control system (col. 5 lines 52-55) but is silent on teaching the remote access control system includes a local communication port electrically coupled to the remote access controllers and adapted to provide wired communication from a portal device. Denison et al. in an art related Electronic Access Control Device invention teaches a remote access control system that includes a local communication port (col. 3 lines 36-39) as an alternative to the wireless communication means used by Kniffin et al..

It would have been obvious to one of ordinary skill in the art for the remote access control system to include a local communication port adapted to provide wired communication from a portal device in Kniffin et al. in view of Pinzon as evidenced by Denison et al. because the local communication port provides a means of providing updates to the access control system using a portable device such as a computer.

Claims 7 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kniffin et al. U.S Patent 6072402 in view of Pinzon US Patent 6161005 and further in view of MacLellan et al. U.S Patent 6177861.

Regarding claims 7 and 13, Kniffin et al. teaches providing user-updated information to the remote access controller (col. 5 lines 52-55) and the transfer of data is initiated by the user (col. 2 lines 31-34, col. 2 lines 44-46) but is silent on teaching the remote access control system periodically initiates wireless communication with the central access control system. MacLellan et al. in an art related communication system teaches remote unit transmitting status updates to the central controller (col. 3 lines 45-67). The transmission of the remote unit further initiate a transmission from the central control unit in the form of an acknowledgement (col. 5 lines 44-48) in order to ensure that data is transmitted when the remote unit is ready to accept data.

It would have been obvious to one of ordinary skill in the art to modify the access control system of Kniffin in view of Pinzon as disclosed by MacLellan et al. at the time the invention was made because the use of the remote unit to initiate communication with a central control unit ensures that data is transmitted to the remote unit when the remote unit is ready to accept data.

Regarding claim 14, Kniffin et al. teaches a central access controller (20) and a central wireless communicator (26) connected to the central access controller (figure 1). Kniffin et al. further teaches a RF transmission system that include a paging system or a cellular system for transmitting control signal to the remote access unit (col. 2 lines 47-50) but is silent not explicit in teaching a plurality of central wireless communicators connected to the central controller. MacLellan et al. in an art related security system teaches a plurality of central wireless communicators (103) connected to the central controller (figure 1) in order to limit the number of remote unit communicating with each central wireless communicators for avoiding interference.

It would have been obvious to one of ordinary skill in the art to have a plurality of central wireless communicators connected to the central controller in Kniffin et al. as evidenced by MacLellan et al. because a plurality of central wireless communicators connected to the central controller limits the number of remote unit communicating with each central wireless communicators for avoiding interference.

Regarding claim 15, Kniffin et al. teaches the central wireless communicator (26) communicating wirelessly with a remote access system (12) as shown in figure 1.

Regarding claim 16, Kniffin et al. teaches the central wireless communicator communicates with more than one remote access control system (col. 7 lines 20-25).

Regarding claims 19-20, Kniffin et al. teaches a security system in which the central controller (20) is connected to the central access communicator (26) by a wired connection (figure 1) but is

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silent on teaching the central access controller is electrically coupled to the plurality of central access communicators by the bus. MacLellan et al. in an art related security system teaches central access controller is electrically coupled to the plurality of central access communicators by the bus (figure 1) and the bus is further controlled by network protocol (col. 2 lines 54-64) in order to provide a standard communication interface.

It would have been obvious to one of ordinary skill in the art for the central access controller is electrically coupled to the plurality of central access communicators by the bus in Kniffin et al. as evidenced by MacLellan et al. because this provides a standard communication interface and simplifies communication with the central controller.

Claim 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kniffin et al. U.S Patent 6072402 in view of Pinzon US Patent 6161005 and further in view of Pilney et al. US Patent 5298883.

Regarding claim 27, Kniffin et al. teaches the remote access control system receives access information from the central access communicator (clearing house) (col. 5 lines 42-47) but is silent on teaching the wireless communication is normally powered down. Pilney et al. in an art related communication system teaches a wireless communicator that is powered down when not in use (col. 3 lines 7-15) in order to conserve on the power supply.

It would have been obvious to one of ordinary skill to modify the access control system of Kniffin in view of Pinzon as disclosed by Pilney because powering down the wireless communicators when they are not in use conserves on the power supply.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kniffin et al. U.S Patent 6072402 in view of Pilney et al. US Patent 5298883.

Regarding claim 29, Kniffin et al. teaches a security control system configured to control the locking and unlocking of doors in a facility (col. 2 lines 25-30) the wireless security control system comprising a central access control system (18) in which access information is stored (col. 2 lines 44-45), and a plurality of remote access control systems (plurality of access control system is implied by the user identifying the access system the user desires to access, col. 2 lines 37-38) each being adapted to be mounted to a respective one of the doors of the facility to control the locking and unlocking of the respective door (col. 2 lines 25-31), the central access control system wirelessly transmitting access information to the plurality of remote access control systems (col. 5 lines 42-47). Kniffin et al. is however silent on teaching the wireless communication is normally powered down. Pilney et al. in an art related communication system teaches a wireless communicator that is powered down when not in use (col. 3 lines 7-15) in order to conserve on the power supply.

It would have been obvious to one of ordinary skill in the art for the wireless communication device to be normally powered down in Kniffin et al. as evidenced by Pilney because Kniffin et al. suggests the remote access control system receives access information from the central access communicator and Pilney teaches a wireless communicator that is powered down when not in use in order to conserve on the power supply.

(10) Response to Argument

Appellant argues on pages 4-6 that Kniffin fails to teach or suggest the central access control system wirelessly transmitting access information to the plurality of remote access

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control systems independent of any users associated with the access information making any request for rights to unlock any of the doors and that Kniffin teaches away from any references where access information is transmitted to the access control system independent of any user making a request to unlock the door. It is the examiners opinion that while Kniffin teaches the user establishing communication with the clearinghouse in order to gain access to the lock (col. 2 lines 32-53), Kniffin also teaches wirelessly pre- programming the identities of the person allow to pass through a door (col. 5 lines 40-50). Kniffin teaches the pre-programming is done on a periodically basis (e.g daily) so that an authorized user can gain access upon presentation of his/her identification without prior contacting the clearinghouse (col. 5 lines 53-57). Kniffin teaches the motivation for pre-programming the lock with the access codes is to allows a plurality of keys to access the lock instead of authorizing a single key whose authorization is dependent on the user contacting the clearinghouse (col. 5 lines 53-63). The reference of Pinzon is further relied on for teaching the preprogramming of the access codes into the lock (col. 6 lines 32-41) and by preprogramming the access code in the lock, the access codes are transmitted to the lock independent of the user making a request to unlock the door.

Although the grounds of rejection states that the Kniffin is silent on teaching the central access control system wirelessly transmitting access information to the plurality of remote access control systems independent of any users associated with the access information making any request, it is the examiner's opinion that upon further analysis of the invention of Kniffin, Kniffin teaches wirelessly transmitting access information to the plurality of remote access control systems independent of any users associated with the access information making any

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request by periodically programming the lock in order to allow a plurality of keys to operate the lock (col. 5 lines 53-57).

Regarding appellant's argument regarding claim 3 on pages 8-9, Kniffin teaches an antenna associated with the remote access control system (col. 4 lines 55-60) and shown in figure 1. The receiving and transmitting antenna is clearly mounted to the exterior of the housing of the lock (12) as shown in figure 1. It is further the examiner's opinion that in general an antenna is mounted on the outer portion of the housing of a wireless communication device. The reference of Goldman is relied upon for teaching the mounting of a inner portion of the access system on the inside of the door and the mounting of outer portion of the access system on the outer portion of the door (figure 1b).

Regarding appellant's argument regarding claim 6 on page 9, the reference of Kniffin teaches wirelessly providing updates to the access control system (col. 5 lines 52-55). Kniffin further teaches a wired communication means as a suitable alternative to wireless and optical communication means (col. 6 lines 15-23). The reference of Denison et al. is further relied upon for teaching providing updates using a wired port (col. 3 lines 36-39) which is considered an alternative to the wireless port of Kniffin.

Regarding appellant's argument on page 10 regarding claim 7 and 13, the reference of kniffin is relied upon for teaching wirelessly transmitting access information to the plurality of remote access control system as described above in examiner's response to appellant argument regarding claim 1. The reference of MacLellan is relied upon for teaching a wireless system (col. 2 lines 61-64) transmitting status updates to the central controller (col. 3 lines 45-67). The

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transmission of the remote unit further initiate a transmission from the central control unit in the form of an acknowledgement (col. 5 lines 44-48).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

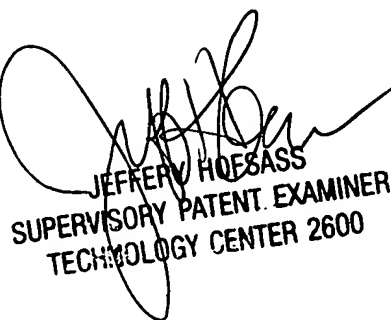
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